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Notice of Allowability	Application No.	Applicant(s)	
	10/803,277	TURNER ET AL.	
	Examiner	Art Unit	
	Maryam Monshipouri	1652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 6.
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date filed 3/2004 | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet, attachment.</u> |

Art Unit: 1652

An **Examiner's Amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. David Hibler, on March 1st 2005.

Examiner's Amendment to the Claims

Cancel claim 5 without prejudice.

Examiner's Amendments to the Specification

Please amend the first full paragraph on page 1, beginning with "the present application claims benefit ...", as follows:

The present application is divisional application of U.S. Application Number 10/116,326, filed on April 4, 2004, now U.S. Patent Number 6,777,545, issued 17th August 2004, which claims the benefit of U.S. Provisional Application Number 60/282,036, which was filed on April 6, 2001, both of which are herein incorporated by reference in their entirety.

The following is an **Examiner's Statement of Reasons for Allowance**:

Claim 6 is drawn to an isolated human kinase of specific amino acid sequence. Claimed amino acid sequence is free of prior art. Further, the prior art does not teach or suggest preparing such specifically claimed amino acid sequence. Hence, said sequence is also non-obvious.

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Claim 6 is allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maryam Monshipouri whose telephone number is (571) 272-0932. The examiner can normally be reached on 7:00 a.m to 4:30 p.m. except for alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnanthapu Achutamurthy can be reached on (571) 272-0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 or (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Maryam Monshipouri Ph.D.

Primary Examiner

1838 GAGTCTCCCGGAGCTGGCAAAAGCTCTGTTGGGAACTTCTCTTGGACAA 1897
1765 GAAGAACAATATTCCTGCTAAAGCAAACTCTCAGCGCATGAAGACATC 1824
1898 GAAGAACAATATTCCTGCTAAAGCAAACTCTCAGCATGAAGACATC 1957
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RESULT 5
US-10-003-690-3

; Sequence 3, Application US/10003690
; Patent No. 6787345
; GENERAL INFORMATION:
; APPLICANT: RORY A.J. CURTIS
; TITLE OF INVENTION: 55053, A NO. 6787345el Human Eukaryotic Kinase
; TITLE OF INVENTION: and Uses Therefor
; FILE REFERENCE: NMI-206
; CURRENT APPLICATION NUMBER: US/10/003, 690
; PRIOR FILING DATE: 2001-11-15
; PRIOR APPLICATION NUMBER: 60/248,893
; NUMBER OF SEQ ID NOS: 8
; SOFTWARE: FASTSEQ for Windows Version 4.0
; SEQ ID NO 3
; LENGTH: 2334
; TYPE: DNA
; ORGANISM: Homo sapiens
; FEATURE:
; NAME/KEY: CDS
; LOCATION: (1)...(2334)
; US-10-003-690-3

Query Match 88.1%; Score 2017.2; DB 4; Length 2334;
Best Local Similarity 99.9%; Pred. No. 0;
Matches 2019; Conservative 0; Mismatches 3; Indels 0; Gaps 0;

265 TTATGATACCTGGTCTGAGAGCATCTCGGGGGTGAAGTAATGACTGCTGAAG 324
313 TATTTGTACTGCTTCTGAGAGCATCTCGGGGGTGAAGTAATGACTGCTGAAG 372
325 AAGGGAGACTGACGCCAAGAGGCGCGAAGATTCTTCCGCAATTTGTCTCGCTG 384

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853 TACAGAGCGGAGAAACAAGAGCAGAGCCGCTGAGAGCAAGCTCTGAGAGGAGTAA 912
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925 TCACTGGGCTCTTCAAGAGAGCGGAGAGCTGATCCGAGCTGCGAGTGAAGAGG 984
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Db 1453 GGTGGGGGCGCGGGGAGACAGCCCCCGCCCGAGTCCCGGTCCAGACCCCTGCCCGGC 1512
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Db 1873 GTCCATGCTTTTGTGTGATCCCAAGCTGATGATGATGATGATGATGATGATGATG 1932
Qy 1885 AGGCGCGAGTCAAGGCGAGTGGGGGCGCCGCTTCCAAAGCCGTCGCTTCAG 1944
Db 1933 AGGCGCGAGTCAAGGCGAGTGGGGGCGCCGCTTCCAAAGCCGTCGCTTCAG 1992
Qy 1945 GTGACATCACTCTCTGAGAGTCAAGAGCTTCCCGGAGCGGAGCGAGAGT 2004
Db 1993 GTGACATCACTCTCTGAGAGTCAAGAGCTTCCCGGAGCGGAGCGAGAGT 2052
Qy 2005 GGTGAGCATCTACTCCGTCACCTTCACTCTCTCTGAGGTTCCAGCGCTGGTTCAAGCA 2064
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Qy 2245 AAGGACAGAGAGTCTCTGAGCAACCAAGGAGCCCTTGCC 2286
Db 2293 AAGGACAGAGAGTCTCTGAGCAACCAAGGAGCCCTTGCC 2334

```

RESULT 6
US-09-774-528-221
Sequence 221, Application US/09774528

GENERAL INFORMATION:

APPLICANT: Tang, Y. Tom
APPLICANT: Zhou, Ping
APPLICANT: Goodrich, Ryle
APPLICANT: Liu, Chenghua
APPLICANT: Asundi, Vinod
APPLICANT: Ren, Feiyan
APPLICANT: Zhang, Jie
APPLICANT: Zhao, Qing
APPLICANT: Yang, Yonghong

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APPLICANT: Xue, Aiding J.
APPLICANT: Wehrman, Tom
APPLICANT: Wang, Jian-Rui
APPLICANT: Man, Dunru
APPLICANT: Drmanac, Radoje T.
TITLE OF INVENTION: No. 6743619el Nucleic Acids and
TITLE OF INVENTION: Polypeptides
FILE REFERENCE: 802
CURRENT APPLICATION NUMBER: US/09/774, 528
CURRENT FILING DATE: 2001-01-30
NUMBER OF SEQ ID NOS: 441
SOFTWARE: PL_Fl_genes Version 2.0
SEQ ID NO: 221
LENGTH: 1797
TYPE: DNA
ORGANISM: Homo sapiens
FEATURE:
NAME/KEY: CDS
LOCATION: (15)..(1787)
US-09-774-528-221

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Query Match 42.8%; Score 980; DB 4; Length 1797;
Best Local Similarity 75.4%; Pred. No. 1.2e-227; Indels 480; Gaps 1;
Matches 1470; Conservative 0; Mismatches 0;

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Qy 268 AGGTACTGTTCTGTGAGACGTTCTGGGGGAGTAACTTGTGACTTACCTGTAAGAG 327
Db 87 AGGTACTGTTCTGTGAGACGTTCTGGGGGAGTAACTTGTGACTTACCTGTAAGAG 146
Qy 328 GGGAGACTGACGCGCAAGAGGCGCGAAAGTTTCTCCGCAAGTTGTGCTGGCTGAG 387
Db 147 GGGAGACTGACGCGCAAGAGGCGCGAAAGTTTCTCCGCAAGTTGTGCTGGCTGAG 206
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Db 207 TTTCGCAAGTACTTCACTTTCGCAAGAGCTTAAGCCGAGAACTGCTTTTGAT 266
Qy 448 GAGAAACAAATCCGCAATGCAAGCTTGGAGATGAGCTTCCGAGGTGGGAGAC 507
Db 267 GAGAAACAAATCCGCAATGCAAGCTTGGAGATGAGCTTCCGAGGTGGGAGAC 326
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Db 327 CTCTGAGAGACAGCTGCGGCTCCCGCAATTTGCTGTCCAGAGGATTAAGGGGAA 386
Qy 568 AAATATGATGCGCTCGGCGAGATGAGAGCTGTGAGTCACTTCTGCTGCTC 627
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Qy 928 CTGAGCTGCTTCAAGGAGCCGAGAGCTGAGATGAGAGCTGAGAGAGAGAGAG 987
Db 747 CTGAGCTGCTTCAAGGAGCCGAGAGCTGAGATGAGAGCTGAGAGAGAGAGAGAG 806

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